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Supreme Court, U.S.
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No. ____

In the Supreme Court of the United States

EMMANUEL BUCHANAN, BY AND THROUGH OZIA BREWINGTON, PLENARY GUARDIAN OF THE PERSON,
Petitioner,

v.

PEOPLE OF THE STATE OF ILLINOIS,
Respondent.

On Petition for Writ of Certiorari to the Appellate Court of Illinois

PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED

1. Whether *Jackson v. Indiana*, 406 U.S. 715 (1972), requires that all criminal defendants found permanently unfit to stand trial be either civilly committed or released.

2. Whether *Jackson v. Indiana* permits commitment of permanently unfit defendants under a statutory scheme that provides less procedural and substantive protections than the scheme under which all other individuals are civilly committed.

3. Whether *Pate v. Robinson*, 383 U.S. 375 (1966), prohibits a state from holding a criminal trial to determine the guilt of an unfit defendant and using the outcome of the trial as the justification for confinement for a period of time equal to the maximum criminal sentence for the crimes with which the unfit defendant was charged.

PARTIES TO THE PROCEEDINGS

Petitioner is Emmanuel Buchanan, by and through Ozia Brewington, plenary guardian of the person. Respondent is the People of the State of Illinois.

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